Determination of NEPA Adequacy (DNA)

U.S. Department of the Interior
Bureau of Land Management
Royal Gorge Field Office
3028 E. Main
Cañon City, CO 81212

OFFICE: Royal Gorge Field Office

PROJECT NUMBER: DOI-BLM-CO-200-2013-076 DN

CASEFILE: (if applicable)

PROPOSED ACTION TITLE/TYPE: Two Creek Commercial Timber Sale

LOCATION/LEGAL DESCRIPTION: Fremont County, New Mexico Principle Meridian
T. 50 N., R. 11 E., Sec. 3 and 10

APPLICANT (if any): Bureau of Land Management (BLM)

A. Description of the Proposed Action and any applicable mitigation measures

Historically, the forests of the Rocky Mountain West were known to be less dense, consisting of larger and older trees than the forests of present times. There were dense stands of trees, but these were intermixed in a mosaic pattern of diverse forest age classes and openings. Whereas, the forests of today are characterized as even-aged stands with little age class diversity and many are overstocked with too many trees per acre. During the settlement of the Arkansas River drainage most of the larger trees were removed for infrastructure and energy, thereby altering the natural processes. Consequently, most of the old growth trees are gone and the older/larger trees seen today were probably too small to be utilized at settlement times. These facts serve as a historical reminder of how different the forests of today are compared to those prior to settlement.

Prior to European settlement of the Arkansas River drainage wildfires played an important ecological role in maintaining the function and pattern of the vegetation on the landscape throughout the Rocky Mountains. Wildfires reduced natural fuel accumulations, maintained forest health by clearing smaller understory trees, recycled nutrients, maintained meadows and parks, improved wildlife habitats, and assured a diversity of forest age classes by creating early seral habitat for young tree establishment. The past 100 years of wildfire suppression, cattle grazing, timber harvests and the recent urbanization of the West have interrupted the natural frequency and intensity of wildfires. As a result the forests have become overstocked with numerous small diameter trees, most less than 100 years old. As these smaller trees compete with the larger trees for moisture, during drought periods, the larger trees become stressed, subjecting

them to increased risk of bark beetle attack. These small diameter trees also provide a ladder for wildfire to move into the forest crown, a prescription for a catastrophic crown fire. Crown fires are the most destructive and difficult to control and pose the greatest catastrophic risk to growing populations and threaten private property adjacent to these forests. Therefore, given the human induced changes to the forest and the current state of the forests in Colorado, namely the lack of recent disturbance, these forests are in desperate need of multiple silvicultural treatments, designed to induce the effects of long lost processes, such as fire.

The Proposed Action is to mechanically treat 47 acres of Engelmann spruce forests using conventional logging equipment through a commercial timber sale (See project map). This sale shall be named Two Creek Commercial Timber Sale and it will be a competitive bid sale which is likely to be out for bids during the fall of 2013 or spring of 2014. This sale consists of 7 individual units where 3 to 9 acre patch cuts shall occur. This sale is likely to be a 2 year sale due to the quantity of timber involved with the project.

The proposed treatment is patch cutting which is a regeneration method that involves the removal of all of the larger conifer trees in 3 to 9 acre groups or patches. This action would improve the areas forest age class diversity and provide early seral habitat for other plants and animals. Given the relatively small size of these proposed treatments the likelihood of any large scars on the landscape is very minimal. The treated areas should naturally reseed with Engelmann spruce, Douglas-fir where it currently exists or new aspen sprouts within five to ten years. All aspen, Douglas-fir, bristlecone pine, and small spruce shall be considered protected reserves.

Existing BLM and county roads shall be utilized for the forest product removal. The existing BLM roads shall be maintained and improved to facilitate the forest product removal. All temporary roads created to remove forest products shall be closed to motor vehicles upon completion of the timber harvest. Trees are likely to be harvested by a commercial logging company. The work is likely to be performed with chainsaws, skidders, tractors, pickup trucks, trailers, log loaders and/or log hauling trucks

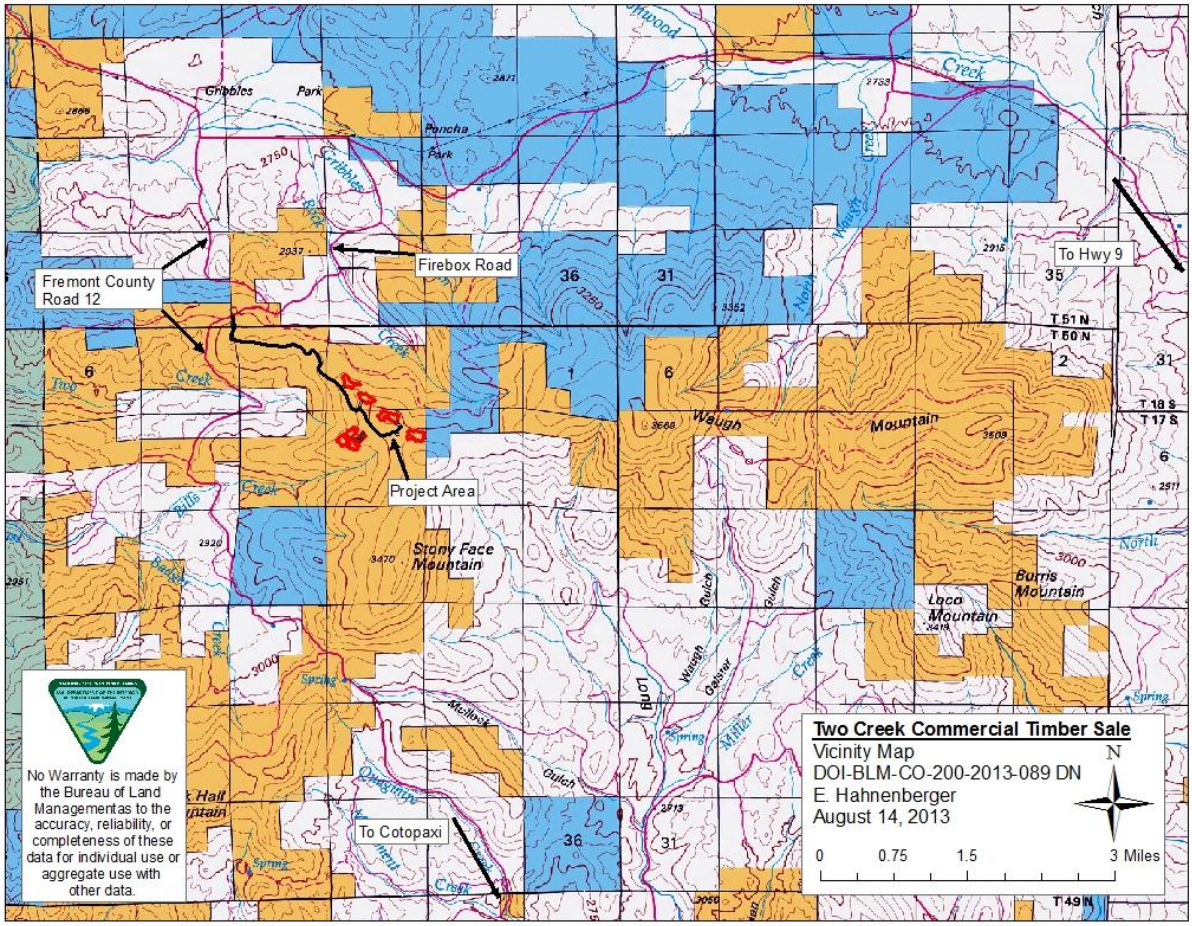
The slash created from the activity shall be piled where they can be burned effectively in suitable weather and not damage the reserve trees. The piles shall be created at the landings or within the harvest units. These piles should not exceed 15 feet in diameter in size. These piles shall be constructed to minimize the incorporation of dirt into the piles. Piles may be allowed to cure for a season to minimize emissions.

In the 3 Peaks area, there are early signs of a developing spruce beetle epidemic. During project layout in the summer of 2013, the forestry crew noticed numerous large diameter green spruce trees which had nearly been debarked by woodpeckers. These trees were more closely examined and are under attack by spruce beetle. In July of 2013 United States Forest Service entomologist, Tom Eager, conducted a site examination and confirmed that there were several patches of large green and dead Engelmann spruce trees in the project area infested with spruce beetle. There are

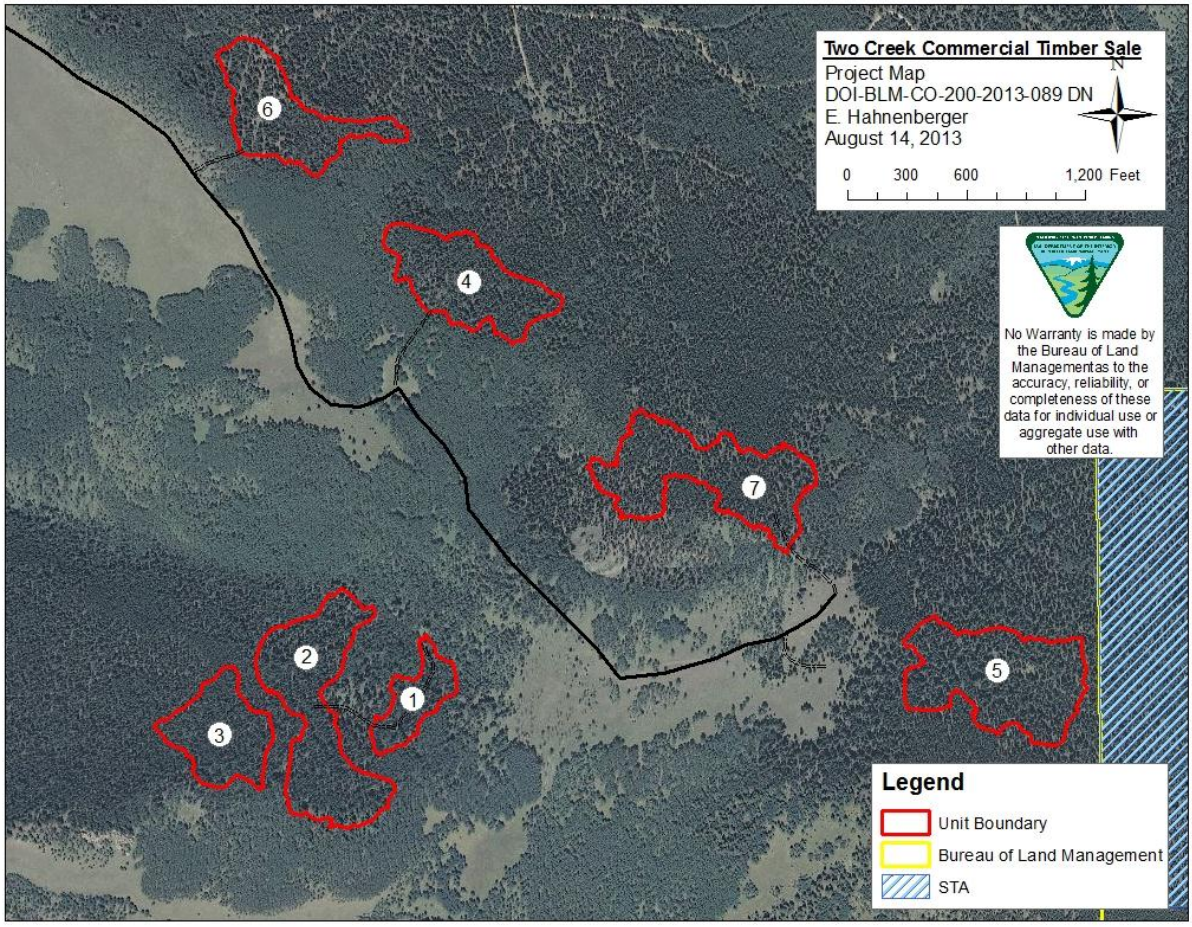
currently several spruce beetle epidemics on-going in the nearby San Isabel and Rio Grande National Forests. If the beetle moved from these areas then they must have caught some extreme summer winds and flew approximately 40 to 50 miles. This insect activity is an indicator of decreased forest health due to increased forest density, lack of age class diversity, current changes in recent precipitation, and/or changing climate conditions.

All known improvements will be protected or repaired if damaged, including but not limited to fences, gates, watering facilities, property corners, etc. An existing drift fence (Project #0646) runs east and west in the vicinity of the section line dividing S. 3 & 10 in the project area. This fence is down in most places and has been identified for abandonment. There is no need to protect this fence. Livestock grazing is permitted in the area between June 1 and September 30. All gates will remain closed during this period except as necessary for entering and leaving the project.

Vicinity Map



Project Area Map



B. Land Use Plan (LUP) Conformance

LUP Name: Royal Gorge Resource Management Plan	Date Approved: 5/13/1996
Other Document	Date Approved
Other Document	Date Approved

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decisions: Badger Creek Subregion #3
3-1, Vegetation will be managed to accomplish other BLM initiatives i. e., riparian, wildlife, etc.
3-13, Productive forested lands will be managed for sustained-yield

3-14, A portion of the forested lands will be available for intensive management.

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions):

C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.

List by name and date all applicable NEPA documents that cover the proposed action.

Name of Document: Three Peaks Forest Health and Fuels Treatment Project EA

CO-200-2006-0108 EA

Date Approved: 05/14/07

List by name and date other documentation relevant to the proposed action (e.g., biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report).

Name of Document: Badger Creek Watershed Land Health Assessment

Date Approved: September, 2010

D. NEPA Adequacy Criteria

1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?

Yes. The Proposed Action is within the same analysis area and will follow the guidelines that were established in the Three Peaks Forest Health and Fuels Treatment Project EA (CO-200-2006-0108 EA).

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and resource values?

Yes. Two alternatives were evaluated in the Three Peaks Forest Health and Fuels Treatment Project EA (CO-200-2006-0108 EA). The two alternatives were analyzed including the proposed action and no action. The analysis appropriately considered current environmental concerns, interests, and resource values.

The Proposed Action is to apply sound silvicultural practices on approximately 12% to 15% of the public forests through mechanical, hand, and prescribed fire treatments over the **next 5 to 7 years**. This will be done through a series of small timber sales, fuels service contracts, and the BLM prescribed fire crew. It is anticipated that approximately **100 to 200 acres** will be treated through mechanical or hand methods each year. The proposed treatments would attempt to mimic the natural fire regime for each tree species found at the different elevations in the area by utilizing the prescriptions outlined in further detail below. Once the forest was sufficiently cleared by mechanical and hand thinning fire would be reintroduced.

Under the No Action Alternative, forest health or fuels reduction treatments would not occur. Forest health will continue to decline with trees dying due to competition with neighboring trees for limited soil moisture. The no action alternative, lacking forest health or fuels reduction treatments, fails to consider the need to protect adjacent land owners, protect the area from potential beetle infestations, promote the growth of declining aspen stands and, in general, work towards a healthier forest.

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?

Yes. The information in the existing EA remains valid and relevant to the Proposed Action. There is no known new information or circumstances that would change the analysis.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

Yes. The direct, indirect, and cumulative effects of the Proposed Action are the same and remain unchanged as those analyzed in the existing EA (CO-200-2006-0108 EA), both quantitatively and qualitatively.

5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?

Yes. The public involvement and review associated with the existing EA (CO-200-2006-0108 EA) remains adequate for the Proposed Action.

E. Persons/Agencies /BLM Staff Consulted

INTERDISCIPLINARY TEAM REVIEW			
NAME	**TITLE**	**AREA OF RESPONSIBILITY**	**Initials/date**
Matt Rustand	Wildlife Biologist	Terrestrial Wildlife, T&E,	MR, 8/29/2013

		Migratory Birds	
Jeff Williams	Range Management Spec.	Range, Vegetation, Farmland	JW, 12/9/13
Chris Cloninger	Range Management Spec.	Range, Vegetation, Farmland	NA
John Lamman	Range Management Spec.	Weeds	JL, 08/30/2013
Dave Gilbert	Fisheries Biologist	Aquatic Wildlife, Riparian/Wetlands	DG, 8/28/2013
Stephanie Carter	Geologist	Minerals, Paleontology, Waste Hazardous or Solid	----------
Melissa Smeins	Geologist	Minerals, Paleontology	MJS, 12/09/2013
John Smeins	Hydrologist	Hydrology, Water Quality/Rights, Soils	JS, 8/28/13
Ty Webb	Prescribed Fire Specialist	Air Quality	mw for TW, 8/27
Jeff Covington	Cadastral Surveyor	Cadastral Survey	JC, 8/28/13
Kalem Lenard	Outdoor Recreation Planner	Recreation, Wilderness, LWCs, Visual, ACEC, W&S Rivers	KL, 8/29/2013
John Nahomenuk	River Manager	Recreation, Wilderness, LWCs, Visual, ACEC, W&S Rivers	NA
Ken Reed	Forester	Forestry	KR, 8/26/13
Martin Weimer	NEPA Coordinator	Environmental Justice, Noise, SocioEconomics	mw, 8/27/13
Monica Weimer	Archaeologist	Cultural, Native American	----------
Michael Troyer	Archaeologist	Cultural, Native American	MDT, 9/12/13
Vera Matthews	Realty Specialist	Realty	NA
Greg Valladares	Realty Specialist	Realty	GDV, 01/07/2014
Ty Webb	Fire Management Officer	Fire Management	12/11/13
Steve Cunningham	Law Enforcement Ranger	Law Enforcement	NA

Other Agency Represented: None

REMARKS:

Cultural Resources: No historic properties were found in the area of potential effect [see report CR-RG-14-48 (N)]. Therefore, the proposed undertaking will have no effect on any historic properties (those eligible for the NRHP).

Native American Religious Concerns: No possible traditional cultural properties were located during the cultural resources inventory (see above). There is no other known evidence that suggests the project area holds special significance for Native Americans.

Threatened and Endangered Species: The project area does not lie within a current Lynx Analysis Unit (LAU). When LAU's were developed by BLM and USFS they were designated in areas with large acreages of suitable habitat. The Three Peaks area did not qualify as suitable lynx habitat since it is relatively small and the vegetation is not preferred lynx habitat. In addition the Three Peaks area occurs in an isolated mountain range that is not connected to other

LAU's. The Proposed Action will not result in impacts to TES species.

Migratory Birds: To be in compliance with the Migratory Bird Treaty Act (MBTA) and the Memorandum of Understanding between BLM and USFWS required by Executive Order 13186, BLM must avoid actions, where possible, that result in a "take" of migratory birds. Pursuant to BLM Instruction Memorandum 2008-050, to reduce impacts to Birds of Conservation Concern (BCC), no habitat disturbance (removal of vegetation such as timber, brush, or grass) is allowed during the periods of May 15 - July 15, the breeding and brood rearing season for most Colorado migratory birds. The provision will not apply to completion activities in disturbed areas that were initiated prior to May 15 and continue into the 60-day period.

An exception to this timing limitation will be granted if nesting surveys conducted no more than one week prior to vegetation-disturbing activities indicate no nesting within 30 meters (100 feet) of the area to be disturbed. Surveys shall be conducted by a qualified breeding bird surveyor between sunrise and 10:00 a.m. under favorable conditions.

Geologic and Mineral Resources: The federal minerals in the proposed project area are open to mineral location, therefore requiring coordination between surface uses as applicable. If there are unpatented mining claims that are active in the proposed project location, any associated claim markers encountered during project implementation cannot be disturbed

Wastes, Hazardous or Solid: If the project involves oil or fuel usage, transfer or storage, an adequate spill kit and shovels are required to be onsite during project implementation. The project proponent will be responsible for adhering to all applicable local, State and Federal regulations in the event of a spill, which includes following the proper notification procedures in BLM's Spill Contingency Plan.

Lands with Wilderness Characteristics: The parcels of the project are not of sufficient size and do not meet adjacency requirements to be considered to have wilderness characteristics.

MITIGATION: Brought forward from Three Peaks Forest Health and Fuels Treatment Project EA (CO-200-2006-0108 EA).

1. Locate, flag, and protect any property survey monuments including brass cap monuments, bearing trees, fences, or other infrastructure that may exist in this project area.

2. Inspect and treat disturbed areas, as needed, for noxious weeds for two growing seasons after the project is completed.

3. This work does not target wetland plants, i.e. those plants dependent upon freestanding water or surface flow, so riparian areas are generally not directly affected. However, in order to limit: rutting, diverting stream flow, riparian area soil compaction, vegetation damage, etc., mechanical machinery generally will remain 100 feet from riparian and wetland areas. Work requiring excessive intermittent or perennial stream channel crossing would be approved by the appropriate BLM official. It is also stipulated that work not be conducted when soil moisture conditions are saturated to protect steep slopes adjacent to stream channels.

4. Conduct the fueling of machinery at designated fueling sites; store no more fuel than is necessary for daily operations on site; and require, if fuel in volumes in excess of 25 gallons is released to the environment, then the BLM project administrator be notified and appropriate cleanup measures taken.

5. Determine public/private boundaries of the treatment areas prior to site specific project implementation. Conduct local research to locate public and private survey records that apply to this area. And, finally notify adjacent landowners prior to treatments.

6. Minimize off-road travel in performing and supervising the operations. Rehabilitate and close any new vehicular travel routes, especially where they connected to the existing roads/trails. As much as possible, agency and contractor will use existing roads and trails in order to eliminate the development of new routes and trails. Avoid repeatedly driving back and forth via the same route when driving off roads.

7. Design projects to blend with topographic forms and existing vegetation patterns and use both to screen the project as much as possible. Repeat the elements of form, line, color, and texture of the existing landscape. Leave 1/2 to 3 acre untreated patches within the treatment areas that do not jeopardize the effectiveness of the treatment.

8. Locate slash piles not exceeding 15 feet in diameter by 10 feet in height where they can be burned effectively in suitable weather and not damage the reserve trees. Machine piles shall be constructed to minimize the incorporation of dirt into the piles and piles may be allowed to cure for a season to minimize emissions from burning green material.

9. Slash piles will be constructed to minimize the amounts of large diameter woody debris, per the technical specifications for all contracts awarded where hand or machine piling is required. Contractors will be responsible to demonstrate correct slash piling practices to the COR to ensure that specifications are understood completely before proceeding with further treatment.

10. Contractors will construct slash piles of adequate size so they can be burned efficiently in typical winter weather, including with snow on them, and locate piles so they do not scorch the crowns or boles of reserve trees. Any piles not meeting the minimum pile size will be reworked until they do meet the size construction specifications.

11. Contracts will clearly describe specifications that must be met for piling slash.

12. No cutting of trees, road construction or other habitat altering activities will be allowed from May 15th thru July 15th to avoid the migratory bird nesting season unless the treatment area has been surveyed for nest avoidance prior to implementation. During this period, pile burning and slash piling including hand or mechanical piling of existing down slash material may be implemented on a case-by case basis with concurrence of the RGFO Wildlife Biologist. Elk calving restrictions may be necessary from May 1 –July 15 in areas identified by the RGFO Wildlife Biologist.

13. No mechanical treatments would occur on slopes greater then 35% to protect soils. Treatments would occur when soils are mostly frozen or dry to minimize impacts.

14. All burn plans will have an approved Smoke Permit issued by the Colorado Air Pollution Control Division. The Burn Boss will have a copy of issued permits on site and will undertake and document visual monitoring of smoke. Notification of Ignition and Daily Actual Activity reports will be submitted. Monitoring can consist of visually tracking smoke plumes by persons on the ground or in aircraft and/or installing PM10/2.5 particulate monitors at sensitive receptors.

15. Conduct surveys to avoid damage to cultural resources or T&E species. Avoid any identified locations.

16. Protect wildlife habitat including snags, nest trees, roost trees, middens and other important features as determined by the Wildlife Biologist.

17. Burning prescriptions will be prepared by a qualified Burn Boss and approved before implementation. The Burn Boss will be asked to participate in all unit design and layout activities where prescribed fire is being planned. The treatment objectives along with burn unit design and layout will determine the feasibility of using prescribed fire, consistent with weather conditions and fuel moistures, to best achieve desired fuels reduction. Fires will be variable in intensity and consistent with prescribed fire and other resource management objectives.

CONCLUSION

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Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of the NEPA.

SIGNATURE OF PROJECT LEAD: Ken Reed

SIGNATURE OF NEPA COORDINATOR: /s/ Martin Weimer

SIGNATURE OF NEPA SUPERVISOR: Melissa K.S. Garcia

SIGNATURE OF THE RESPONSIBLE OFFICIAL: /s/ Keith E. Berger
Keith E. Berger, Field Manager

DATE: 2/7/14

Note: The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.